

**MINUTES OF  
CITY OF DUVALL  
COUNCIL MEETING  
6-23-05  
7:00 PM**

**5:30 PM:      WORKSHOP – Volunteer Appreciation Celebration  
At the Glen Kuntz W.R.E.C.K. Center (next to the Fire Station)**

**The City Council Meeting was called to order by Mayor Pro Tem Jeffrey Possinger  
at 7:00 PM.**

**Council Present:**      Jeffrey Possinger, Dianne Brudnicki, Gary Gill, Heather Page,  
Greg Von Tobel. Absent: Gérard Cattin, Will Ibershof.

**Staff Present:**      Doreen Booth, Steve Schuller, Glenn Merryman, Dianne Nelson,  
Steven Leniszewski, Todd Hall, Lacey Madche, Jodee Schwinn.

**I.      Additions or Corrections to the Agenda:**

Under Consent Agenda add: Payroll in the amount of \$108,858.56; Claims in the amount of \$194,214.10; and excusing the absence of Councilmember Gérard Cattin. Under Committee Reports: Remove Finance and Administrative Committee report and Public Safety Committee report.

**II.      Approval of the June 23, 2005 Council Agenda:**

*It was moved and seconded (Page-Von Tobel) to approve the June 23, 2005 Council Agenda. Carried. (5 ayes).*

**III.      Comments from the Audience:**

There were no comments from the audience.

**IV.      Approval of Consent Agenda:**

*It was moved and seconded (Page-Gill) to approve the consent agenda, which included Payroll in the amount of \$108,858.56; Claims in the amount of \$194,214.10; the Council Meeting Minutes of 6/9/05; and excusing the absence of Councilmember Ibershof and Councilmember Cattin. Carried. (5 ayes).*

**V.      Presentation:      *None***

## **VI. Scheduled Items:**

**1. Mayor Pro-Tem:** Mayor Pro-Tem Jeffrey Possinger commented that the Volunteer Celebration held earlier at the Glen Kuntz W.R.E.C.K. Center was very nice. He announced that Don and Kathleen Williams were chosen as 2004 *Volunteers of the Year*, and noted that they are wonderful people and very deserving of the recognition.

### **2. Committee Reports:**

**a. Land Use Committee:** Councilmember Heather Page reported that the Committee met and discussed the tree protection section in the draft Development Regulations. She also thanked the Planning Commissioners for all of their work on the Development Regulations.

**b. Economic Development Committee:** There was no report.

**c. Public Works Committee:** Councilmember Gary Gill reported the Committee met and discussed capital projects and priorities leading up to the City Council Budget Retreat.

**3. Council:** There were no reports.

### **4. Staff:**

**a. City Hall Administrator/Planning Director, Doreen Booth,** reported that the Planning Commission has been meeting weekly since January to work on the Unified Development Regulations. She thanked the Planning Commission for all of their extra work and said the city has a much better document because of it. She also reported that the Planning Commission wants to ensure that the sign code be addressed in a timely manner. She reported that a consultant is working on the critical areas regulations and both of those sections of the code will require a 60-day review period with CTED. She anticipates the sign code and the critical areas ordinance to be brought forward for adoption towards the end of the year. Doreen also thanked Jodi Lee Wycoff for coordinating the Volunteer Celebration. Approximately three hundred fifty invitations were sent out which gives an idea of how much the city utilizes volunteers and how valuable they are.

**b. Associate Engineer, Steven Leniszewski,** reported on upcoming area road construction that will be happening this summer. The WSDOT will be starting their overlay project along Main Street. The City will also be starting their overlay program this summer to repair some of the most deteriorating streets in the city. He also reported that the 6-year Transportation Improvement Program will be coming before Council at the next Council Meeting. He asked City Councilmembers to contact him if they have any questions.

**c. Chief of Police, Glenn Merryman,** shared some of the recent police activity that has taken place in Duvall and Carnation. He wanted to emphasize that two recent reports of alleged assaults in Carnation were fabricated. He also reported that a suspect was apprehended in a recent burglary and that all of the stolen items were recovered and returned to their owner. Lastly, Chief Merryman reported that officers responded to a recent road rage incident that also resulted in the discovery and confiscation of illegal drugs with the assistance of the department's K-9 dog.

d. Finance Director, Dianne Nelson, reported that the city is in the midst of its State Audit. Barbara Rambow, a senior State Auditor, is conducting the audit. An exit conference will be scheduled for the end of August and Dianne encouraged City Councilmembers to attend.

## **VII. Public Hearing: City of Duvall Unified Development Regulations**

Todd Hall, Assistant Planner, presented and gave a brief overview of the draft Unified Development Regulations.

City Hall Administrator/Planning Director, Doreen Booth, reviewed two sections with revisions; Sidewalk Cafes and Tree Protection.

Councilmember Page stated that the Land Use Committee has reviewed these changes and recommends adoption of the Unified Development Regulations.

### **7:37 PM: The Public Hearing was opened.**

William Losleben, 14244 Carnation-Duvall Road NE, Duvall, submitted a letter for the record. In his letter he stated that he has lived in the Snoqualmie Valley for 37 years and owns property in the City that is zoned commercial. He was recently approached by a developer to purchase his property. The developer then withdrew his offer based on non-useable land with the requirement of 100 foot buffers. He asked if the city would consider the "Exceptions Clause" Chapter 14.74 in the code amendments in order to more fully utilize the commercial zoning. He emphasized that 100 foot set backs is going to make it very difficult to develop the property according to zoning. He stated that the ditch and pond on the property are only fed by rain and surface water, and as development occurs uphill this too will become less and less.

Karen Swenson, 28624 NE 151 Place, Chair of the Planning Commission, wanted Council to be aware that one of the things the Planning Commission discussed a lot during this project was enforcement of the regulations. She asked Councilmembers that as they go through budgets and as various things come down the line in the future, to consider the work that has been put into these regulations and how valuable it will be that they are enforced as different issues come up. Lastly, she also encouraged individuals that are concerned about the sensitive areas regulations to be involved in the process over the next couple of months while those issues come forward through the Planning Commission. She encouraged anyone with questions on what the intent was on any of these regulations to ask any of the Planning Commissioners.

Ray Burhen, PO Box 6, Duvall, said he doesn't feel that there was any intention by the City or the staff when drafting these regulations, but as he looks at some of the things proposed in the UDR he feels as though he is testifying tonight before King County regarding the C.A.O. One of his greatest concerns is the Riverside Village District. He feels as though the Riverside District was mainly created so that additional requirements and restrictions could be levied on that property. He also feels that with the proposed restrictions and requirements to this property that it is hypocritical of the City to say that

they want to enhance the economic vitality of Duvall. The requirement of a 20' wildlife buffer corridor along the King County Trail would take 20% of the total property. In addition to the 20' buffer, the requirement to add pedestrian trails to connect and extend all city streets by walkways to the King County trail, along with 5-10 feet of landscaping along each of the walkways, and any additional landscaping requirements could take an additional 20% of the property. He asked if this reminds the Duvall City Council of the taking of property by the King County Council.

Ty Waude, 2365 – 132<sup>nd</sup> Ave. NE, Bellevue, stated he has been building in the City of Duvall for 10 years as a partner with Belmark Industries. He is a local graduate of Redmond High School and a property owner in the city limits of Duvall and its UGA. He also is representative of the local building industry as he is on the Board of Directors of the Master Builders Association and the State Building Association. He encouraged the City Council to adopt the UDR as presented. He emphasized that he has been involved in the process all along, attending many of the Planning Commission meetings and has been allowed input. He pointed out that a lot of work has gone into this and believes it is a good document. He added that he is a proponent of good design, and that the document also has industry input. He believes the City has done a good job with their design standards and is in favor of the UDR. In closing he said he appreciates the effort that was put into the document and the Planning Commission did a tremendous job.

Elizabeth Walker, 26836 NE Stella Street, Duvall, stated she is a certified arborist and a staff forester at the City of Kirkland. She said she has worked with several municipalities regarding tree retention and that she was contact by staff to help with the tree protection section of the Duvall code. A lot of what is in the code she was able to review and give her input. She feels it is a good start. She also suggested using caution when requiring tree retention based on percentages. She also cautioned requiring the replacement of trees based on the number of trees that is on a site. One of the things that is very good in the code, is that it offers other options if the trees cannot be planted on-site. She stated that one of the last things she wants to do as an arborist is force people to plants trees on a site, especially if there is not enough space or appropriate topography for the trees. Lastly, she commented that it is very important now that the city is getting to the next level of tree retention and tree protection, that the applicants hire a qualified arborist to do the work. They will get better reports and better plans that will work with the developments.

Gary Rutledge, PO Box 820, Duvall, is concerned about section 14.62.020 of the draft UDR. He said this particular issue came up with the proposal of the skate park when it did not meet site plan criteria. He also feels that the definition in 14.06.058 “Construction” and the definition in 14.06.0285 “Structure” are conflicting. He asked the Council to take a look at this section and redefine it to be more specific as to what can be put into those parks that fall under ½ acre.

Deborah Neal, 14123 – 278<sup>th</sup> Ave. NE, Duvall, Planning Commissioner, emphasized that the Planning Commission relied on the public process to create this document. She stated that it was not created in a vacuum, but was based on the many public meetings that took place during the City’s visioning planning and was based on what was heard from the community. She stated the UDR will bring the city into the 21<sup>st</sup> century, and will bring

Duvall closer to being more like the communities that we would like to mirror. She said it will also help to attract quality businesses and quality residential developments.

Regarding the tree code, she feels it is very important economically also. In addition to aesthetics and providing for a site that doesn't need as much irrigation, trees help add value to neighborhoods and contribute to greater appreciation of the appraisal value. She thanked the Council for being open to making the sign code a priority. She said it is something the citizens have asked for repeatedly. She and other Planning Commissioners receive many complaints regarding signage. She also emphasized that enforcement of all of these regulations will be very important. She thanked the City Council for all of the energy and time they have put into this.

**8:05 PM: The Public Hearing will be continued at the next City Council Meeting on July 14, 2005.**

**VIII. Unfinished Business:** *None*

**IX. New Business:**

**1. (AB05-41) Approve and authorize the Mayor Pro Tem to sign agreement #ae2005-25w with PACE, Inc. for Design of the Stewart Street Water Main Replacement.** *It was moved and seconded (Page-Von Tobel) to approve and authorize the Mayor Pro Tem to sign agreement #ae2005-25 with PACE, Inc. for Design of the Stewart Street Water Main. Carried. (5 ayes).*

**2. (AB05-42) Approve and authorize the Mayor Pro Tem to award Bid for the Big Rock Road Construction Project to RRJ, LLC.** *It was moved and seconded (Page-Gill) pass AB05-42R, to authorize the Mayor Pro Tem to sign agreement to award the contract to RRJ Company, LLC for Big Rock Road Improvement Project, and authorizing the Mayor to approve change orders up to 10% of contract amount. Carried. (5 ayes).*

**X. Executive Session:** *None*

**XI. Adjournment:**

Being no further business, Mayor Pro Tem Possinger adjourned the meeting.

The meeting adjourned at 8:10 PM.

Signed \_\_\_\_\_  
Mayor Pro Tem Jeffrey Possinger

Attest \_\_\_\_\_  
Jodee Schwinn, City Clerk